



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 HUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: MARCH 4, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *H/INCB RTT*
DIVISION OF COMMUNICATIONS (ILERI, BARRETT) *meb*

RE: DOCKET NO. 980770-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. AND D/B/A CONNECT 'N SAVE FOR MODIFICATION OF BELL SOUTH TELECOMMUNICATIONS, INC.'S POLICIES REGARDING PORTING OF DIRECT-IN-DIAL (DID) NUMBERS.

AGENDA: MARCH 16, 1999 - REGULAR AGENDA - VOLUNTARY DISMISSAL - PARTIES MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\980770.RCM

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CASE BACKGROUND

On June 19, 1998, AT&T Communications of the Southern States, Inc. (AT&T) filed a petition asking us to modify BellSouth Telecommunications, Inc.'s (BellSouth) policies on porting Direct-In-Dial numbers (Complaint). BellSouth responded on July 13, 1998.

In its Complaint, AT&T complained that it was not being treated "fairly" by BellSouth, because BellSouth's existing policies did not allow ALECs to buy DID numbers in blocks of less than 20 numbers. AT&T explained that it was currently engaged in testing its AT&T Digital Link (ADL) service in Florida, and that part of that testing required some DID numbers to be ported from BellSouth's switch to an AT&T switch. AT&T learned, however, that BellSouth's A12.7.1 tariff only allowed DID numbers to be arranged in blocks of 20 numbers. AT&T asserted that this policy was

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improper, because it would require a customer to port more numbers to AT&T than the customer needed, and would also unnecessarily consume DID numbers. AT&T asserted that it discussed this concern with BellSouth, whereupon BellSouth agreed to sell DID numbers in blocks of less than 20. BellSouth indicated, however, that a \$630 nonrecurring charge would be assessed to AT&T, as well as an additional \$2.20 per number, with another additional \$.20 monthly charge assessed per number in the block. AT&T and BellSouth were unable to reach an agreement; therefore, AT&T filed this Complaint. An Order Establishing Procedure was issued and this matter was set for an administrative hearing on April 14, 1999.

On February 15, 1999, AT&T filed a Notice of Voluntary Dismissal without prejudice.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge AT&T's voluntary dismissal of its Complaint?

RECOMMENDATION: Yes. The Commission should acknowledge AT&T's voluntary dismissal of its Complaint without prejudice.

STAFF ANALYSIS: In its Notice, AT&T notes that on December 17, 1998, BellSouth filed its tariff to allow DID numbers to be ported in blocks of less than 20 numbers and to allow the porting of non-consecutive numbers. As a result, AT&T has noticed its voluntary dismissal of its complaint without prejudice.

Staff recommends that AT&T's Notice of Voluntary Dismissal be acknowledged by the Commission.